UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/281,797	03/31/1999	ATSUSHI TESHIMA	0905-0216P	7652

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EXAMINER
TRAN, PHILIP B

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 04/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/281,797	TESHIMA, ATSUSHI
	Examiner	**Art Unit**	
	Philip B Tran	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*04 February 2004*</u>.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2,4,7,8,10 and 30-32* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *2,4,7,8,10 and 30-32* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
   1.☐ Certified copies of the priority documents have been received.
   2.☐ Certified copies of the priority documents have been received in Application No. _____.
   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment

1.   This office action is in response to the amendment filed on 2/4/2004. Claims 30-32 have been amended. Therefore, pending claims 2,4,7-8,10 and 30-32 are presented for further examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3.   Claims 2, 4, 7, 8, 10 and 30-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Flowers, Jr. et al (Hereafter, Flowers), U.S. Pat. No. 5,533,174 in view of Shimizu, U.S. Pat. No. 6,189,020.

Regarding claim 30, Flowers teaches a font sharing system in which data can be communicated between a client computer and a server (i.e., work station 12 and font server 16), data representing a character string including a plurality of characters and data representing sizes of characters are included in the character string being transmitted to the server from the client computer (i.e., the client supplies information such as font name or printing or display features such as desired letter height, orientation, writing mode, and so forth to the server) [see Abstract and Col. 2, Line 50 - Col. 3, Line 16], the server comprising :

layout generating means for generating data representing a layout based upon the data representing the character string and the data representing the sizes of characters transmitted from the client computer (i.e., the font server receives information supplied by the client regarding font name or printing or display features such as desired letter height, orientation, writing mode, and so forth and retrieves an appropriate font from storage and prepare the font for use with the current application and then customizing the font as necessary and rendering outlines and/or bit maps and reformatting the bit maps or outlines) [see Abstract and Col. 2, Line 50 - Col. 3, Line 16 and Col. 3, Lines 17-30 and Col. 4, Lines 30-34 and Col. 4, Lines 50-67 and Col. 6, Lines 10-16]; and

transmitting means for transmitting the layout data generated by the layout generating means (i.e., the font server supplies the outlines and /or bit maps to the client in a format which is compatible with the client's application software) [see Col. 4, Lines 34-36 and Col. 6, Lines 24-29];

the client computer comprising :

display control means for controlling a display device so as to display frames on a display screen, each of the frames corresponding to the size of each character included in the character string based upon the layout data transmitted from the transmitting means of the server (i.e.,client prints or displays characters with shapes according to bitmap or outlines wherein the outlines indicate the boundaries or frames of various characters) [see Fig. 3B and Col. 2, Lines 32-33 and Col. 6, Lines 6-23 and Col. 9, Lines 62-65].

Flowers does not explicitly teach displaying in a preview area each of the frames are box-shaped such that each of the frames is able to enclose their respective characters that are represented by the data representing the sizes of characters. However, Shimizu in the same field of type-setting character font endeavor, discloses box-shaped frames for enclosing character string specifying fonts [see Shimizu, Abstract and Fig. 6 and Col. 3, Lines 30-53, Col. 7, Lines 15-22, Col. 11, Lines 10-12 and Col. 12, Lines 30-41]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use a box-shaped frame, disclosed by Shimizu, into a font sharing system in which data can be communicated between a client computer and a server disclosed by Flowers, in order to layout character string within a designated configuration regions specifying the appearance shape of the proportional spacing fonts of the desirable character string can be outputted and displayed in a preview area.

Regarding claim 2, Flowers further teaches the server retrieves, from a first character image data storage means, character image data expressing a character, which has been specified by the character string and has a size that has been designated by size designating data, as an image in such a manner that the specified character will have a font specified by font specifying data (i.e., the font server retrieves an appropriate font from storage and prepare the font for use with the current application and produces bit maps or outlines, as appropriate, in accordance with specified rendering instruction) [see Col. 3, Lines 17-30 and Col. 4, Lines 30-34 and Col. 11, Lines 30-32].

Regarding claim 4, Flowers further teaches second character image data storage means for storing character image data expressing a character as an image (i.e., font storage 18) [see Figs. 1-2];

determination means for determining whether character image data expressing a character as an image has been stored in the second character image data storage means, wherein the character has been specified by the character string, has a font that has been specified by the font specifying data and a size that has been designated by the size designating data (i.e., determining if selected font exists in the font storage) [see Col. 5, Lines 6-16]; and

enlarging/reducing means which, in response to a determination by said determination means to the effect that the character image data has not been stored in the second character image data storage means, is for processing the character image

data in such a manner that, of character image data that has been stored in the second

character image data storage means, a character image that has been specified by the

character specifying data and has a font that has been specified by the font specifying

data will be enlarged or reduced so as to take on a size that has been designated by the

size designating data (i.e., customizing font by enlarging or eliminating glyph and

scaling the glyph shape to a desired size) [see Col. 7, Lines 30-65].

Regarding claim 7, Flowers further teaches the client includes style data

transmitting means for transmitting, to the server, character style designating data for

designating style of a character specified by the character specifying data (i.e., the client

supplies requested information such as font or character style display feature) [see Col.

1, Lines 13-60 and Col. 2, Line 62 - Col. 3, Line 30]; and

the server further includes:

designated character-style retrieval means for retrieving, from a first character

image data storage means, designated-style character image data expressing, as an

image, a character of a style designated by the character style designating data

transmitted from the style data transmitting means (i.e., the font server retrieves an

appropriate font from storage and prepare the font for use with the current application)

[see Col. 3, Lines 17-30];

designated-style character image data generating means for generating the

designated-style character image data in response to a situation where the designated-

style character image data is not found by the designated character-style retrieval

means (i.e., customizing the font as necessary and rendering outlines and/or bit maps and reformatting the bit maps or outlines) [see Col. 4, Lines 30-34 and Col. 6, Lines 10-16]; and

designated-style character image data transmitting means for transmitting, to the client computer, the designated-style character image data generated by the designated-style character image data generating means or the designated-style character image data found by the designated character-style retrieval means (i.e., the font server supplies the outlines and /or bit maps to the client in a format which is compatible with the client's application software) [see Col. 4, Lines 34-36 and Col. 6, Lines 24-29].

Regarding claim 8, Flowers further teaches the server includes style information transmitting means for transmitting, to the client computer, style information for generating the designated-style character image data (i.e., the font server provides a user a list of the catalogues, a list of font families, and so forth to allow the user to select a desired font) [see Col. 3, Lines 17-30 and Col. 8, Lines 35-53]; and

the client computer includes means for generating the designated-style character image data based upon the style information and the character image data transmitted from the style information transmitting means (i.e., client follows the procedures to customize the font, as appropriate, and acquire character metrics and bit maps or outlines needed for printing and display) [see Col. 9, Lines 30-65].

Regarding claim 10, Flowers further teaches the server includes a printing device (i.e., associated printers 14) [see Figs 1-2], and means for generating new character image data, from the character image data that has been designated by the character image data generating means, so as to obtain a character image having a resolution suited to the resolution of the printing device (i.e., selecting appropriate font and customizing the font as necessary and supplying the outlines and/or bit maps to the client in a format which is compatible with client) [see Col. 4, Lines 28-46 and Col. 5, Lines 25-61].

Regarding claim 31, Flowers teaches a client computer capable of communicating data with a server comprising :

input means for inputting a character string including a plurality of characters (i.e., the client or the user at the client requests font lists, then checks and selects a font from the list) [see Abstract, Col. 3, Lines 17-30 and Col. 4, Line 50 - Col. 5, Line 16 and Col. 8, Lines 54-65 and Col. 9, Line 30 - Col. 10, Line 12 and Col. 12, Lines 13-21]; designating means for designating sizes of characters included in the character string inputted from the input means (i.e., customizing the font as necessary and rendering outlines and/or bit maps and reformatting the bit maps or outlines) [see Col. 4, Lines 30-34 and Col. 6, Lines 10-16];

transmitting means for transmitting the character string data inputted from the input means and data representing the sizes of characters designated by the designating means (i.e., the font server supplies the outlines and /or bit maps to the

client in a format which is compatible with the client's application software) [see Col. 4, Lines 34-36 and Col. 6, Lines 24-29];

layout data receiving means for receiving layout data generated by the server based upon the data representing the character string and the data representing the sizes of characters transmitted from the transmitting means (i.e., client obtains character shapes or characters metrics) [see Col. 11, Line 62 - Col. 12, Line 2]; and

display control means for controlling a display device so as to display frame on a display screen, each of the frame corresponding to the size of each character included in the character string based upon the layout data received from the receiving means of the server (i.e.,client prints or displays characters with shapes according to bitmap or outlines wherein the outlines indicate the boundaries or frames of various characters) [see Fig. 3B and Col. 2, Lines 32-33 and Col. 6, Lines 6-23 and Col. 9, Lines 62-65].

Flowers does not explicitly teach displaying in a preview area each of the frames are box-shaped such that each of the frames is able to enclose their respective characters that are represented by the data representing the sizes of characters. However, Shimizu in the same field of type-setting character font endeavor, discloses box-shaped frames for enclosing character string specifying fonts [see Shimizu, Abstract and Fig. 6 and Col. 3, Lines 30-53, Col. 7, Lines 15-22, Col. 11, Lines 10-12 and Col. 12, Lines 30-41]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use a box-shaped frame, disclosed by Shimizu, into a font sharing system in which data can be communicated between a client computer and a server disclosed by Flowers, in order to layout

character string within a designated configuration regions specifying the appearance

shape of the proportional spacing fonts of the desirable character string can be

outputted and displayed in a preview area.

Regarding claim 32, Flowers teaches a server capable of communicating data

with a client computer comprising :

receiving means for receiving data representing a character string including a

plurality of characters transmitted from the client computer and sizes of characters,

which are included in the character string transmitted from the client computer (i.e., the

font server receives information supplied by the client regarding font name or printing or

display features such as desired letter height, orientation, writing mode, and so forth)

[see Abstract and Col. 2, Line 50 - Col. 3, Line 16];

layout generating means for generating data representing a layout based upon

the data representing the character string and the data representing the sizes of

characters (i.e., the font server retrieves an appropriate font from storage and prepare

the font for use with the current application and then customizing the font as necessary

and rendering outlines and/or bit maps and reformatting the bit maps or outlines) [see

Abstract and Col. 2, Line 50 - Col. 3, Line 16 and Col. 3, Lines 17-30 and Col. 4, Lines

30-34 and Col. 4, Lines 50-67 and Col. 6, Lines 10-16]; and

transmitting means for transmitting the layout data generated by the layout

generating means (i.e., the font server supplies the outlines and /or bit maps to the

client in a format which is compatible with the client's application software) [see Col. 4, Lines 34-36 and Col. 6, Lines 24-29].

Flowers does not explicitly teach displaying in a preview area each of the frames are box-shaped such that each of the frames is able to enclose their respective characters that are represented by the data representing the sizes of characters. However, Shimizu in the same field of type-setting character font endeavor, discloses box-shaped frames for enclosing character string specifying fonts [see Shimizu, Abstract and Fig. 6 and Col. 3, Lines 30-53, Col. 7, Lines 15-22, Col. 11, Lines 10-12 and Col. 12, Lines 30-41]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use a box-shaped frame, disclosed by Shimizu, into a font sharing system in which data can be communicated between a client computer and a server disclosed by Flowers, in order to layout character string within a designated configuration regions specifying the appearance shape of the proportional spacing fonts of the desirable character string can be outputted and displayed in a preview area.

Response to Arguments

4.   Applicants' arguments have been fully considered but they are not persuasive because of the following reasons :

Flowers teaches a font sharing system in which data can be communicated between a client computer and a server such as work station 12 and font server 16, data representing a character string including a plurality of characters and data representing sizes of characters are included in the character string being transmitted to

the server from the client computer. For example, the client supplies information such as font name or printing or display features such as desired letter height, orientation, writing mode, and so forth to the server [see Flowers, Abstract and Col. 2, Line 50 - Col. 3, Line 16]. In addition, Flowers further teaches the server comprising layout generating means for generating data representing a layout based upon the data representing the character string and the data representing the sizes of characters transmitted from the client computer. For example, the font server receives information supplied by the client regarding font name or printing or display features such as desired letter height, orientation, writing mode, and so forth and retrieves an appropriate font from storage and prepare the font for use with the current application and then customizing the font as necessary and rendering outlines and/or bit maps and reformatting the bit maps or outlines [see Flowers, Abstract and Col. 2, Line 50 - Col. 3, Line 16 and Col. 3, Lines 17-30 and Col. 4, Lines 30-34 and Col. 4, Lines 50-67 and Col. 6, Lines 10-16]. Furthermore, Flowers teaches transmitting means for transmitting the layout data generated by the layout generating means. For example, the font server supplies the outlines and /or bit maps to the client in a format which is compatible with the client's application software [see Flowers, Col. 4, Lines 34-36 and Col. 6, Lines 24-29]. Also, Flowers teaches the client computer comprising display control means for controlling a display device so as to display frames on a display screen, each of the frames corresponding to the size of each character included in the character string based upon the layout data transmitted from the transmitting means of the server. For example, client prints or displays characters with shapes according to bitmap or outlines wherein

the outlines indicate the boundaries or frames of various characters [see Flowers, Fig. 3B and Col. 2, Lines 32-33 and Col. 6, Lines 6-23 and Col. 9, Lines 62-65].

Flowers does not explicitly teach displaying in a preview area each of the frames are box-shaped such that each of the frames is able to enclose their respective characters that are represented by the data representing the sizes of characters. However, Shimizu in the same field of type-setting character font endeavor, discloses box-shaped frames for enclosing character string specifying fonts [see Shimizu, Abstract and Fig. 6 and Col. 3, Lines 30-53, Col. 7, Lines 15-22, Col. 11, Lines 10-12 and Col. 12, Lines 30-41]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use a box-shaped frame, disclosed by Shimizu, into a font sharing system in which data can be communicated between a client computer and a server disclosed by Flowers, in order to layout character string within a designated configuration regions specifying the appearance shape of the proportional spacing fonts of the desirable character string can be outputted and displayed in a preview area.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller,* **642F. 2d 413, 208 USPQ 871 (CCPA 1981);** *In re Merck* **& Co., 800 F. 2d 1091, 231 USPQ 375 (Fed. Cir. 1986).** Applicant obviously attacks references individually without taking into consideration based on the teaching of combinations of references as shown above.

Therefore, the examiner asserts that combination of Flowers and Shimizu

teaches or suggests the subject matter broadly recited in independent claims. Claims 2,

4, 7-8, and 10 are also rejected at least by virtue of their dependency on independent

claim and by other reasons set forth above. Accordingly, pending claims 2, 4, 7-8, 10

and 30-32 are respectfully rejected.

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CAR 1.136(a).

        A SHORTENED STATUTORY PERIOD FOR REPLY TO THIS FINAL ACTION
IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS ACTION.
IN THE EVENT A FIRST REPLY IS FILED WITHIN TWO MONTHS OF THE MAILING
DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED
UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY
PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE
DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT
TO 37 CAR 1.136(A) WILL BE CALCULATED FROM THE MAILING DATE OF THE
ADVISORY ACTION. IN NO EVENT, HOWEVER, WILL THE STATUTORY PERIOD
FOR REPLY EXPIRE LATER THAN SIX MONTHS FROM THE MAILING DATE OF
THIS FINAL ACTION.

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (703) 308-8767. The Group fax phone number is (703) 872-9306.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached on (703) 308-6662.

        Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PBT

Philip Tran
Art Unit 2155
April 13, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER